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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,281	01/09/2002	Minoru Usui	448563/0202	9321

7590 03/04/2004
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EXAMINER

VO, ANH T N

ART UNIT PAPER NUMBER

2861

DATE MAILED: 03/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/044,281

Applicant(s)

USUI ET AL.

Examiner

Anh t.n Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 01/12/2004.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

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Final Rejection

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Claims 1-30 are rejected under 35 U.S.C. 102 (e) as being anticipated by Shinnada et al (US 6,302,530).

Shinnada et al discloses in Figures 3(a)-3(b), 4(a)- 5(a) and 10(a)- 10(b) an ink cartridge (41) comprising:

- a housing (46) having at least one wall (48) (Figure 10a);
- at least three ink chambers (42a-42d) for containing different ink accommodate in said housing (46) (Figure 10b);
- ink supply ports (50a-50d) in said wall and each port having an inner opening and outer opening (Figure 10b);
- porous members (59) impregnated with ink and fitted in each of said chambers (42a-42d) and engaging with said ink supply port (50a-50d) through said ink supply passage (Figure 10b);
- wherein a first distance from the inner openings is greater than second distance from the outer openings (Figure 5a); and
- a partition wall (43) dividing the ink cartridge main body (41) into a plurality of ink chambers (42a-42d) having respective ink outflow ports (50a-50d);

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- wherein the inner surface of the ink supply port is entirely angled as shown in Figures 10(a)-10(b) of Shinnada et al because the inner openings are smaller than the outer openings.
- wherein said ink chambers comprise five chambers separated from one another (each chamber has an ink supply port. There are six or 8 ink supply ports 304aa-304ah as shown in Figures 3a-4c, therefore they have 8 ink chambers).


Response to Applicant's Arguments

The applicant argues that nowhere does Shimada even suggest all the features of Applicants' claimed invention. The argument is not persuasive because Shimada teaches all the features of Applicants' claimed invention especially for example the limitation "a first center-to-center distance from the inner opening of a first ink supply port to that of a second ink supply port adjacent to the first ink supply port is different from a second center-to center distance from the outer opening of the first ink supply port to that of the second ink supply port" is shown in Figure 5(a) of the Shimada as discussed above.

CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Anh Vo, whose telephone number is (703) 305-8194. The examiner can normally be reached on Tuesday to Friday from 8:00 A.M. to 6:00 P.M. The fax number of this Group 2861 is (703) 305-3431 or 305-3432.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.


ANH T. N. VO
PRIMARY EXAMINER

February 25, 2004